

REMARKS

Reconsideration of this Application is respectfully requested. Claims 29-32, 35, 37-39 and 42-50 are currently pending, with claims 29, 35 and 48 being the independent claims. The Applicant respectfully submits that these amendments and new claims introduce no new matter. Based on the above Amendments and the following Remarks, the Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections.

Interview Summary

The undersigned appreciates the time and attention extended by Examiner Fatahiyar during the personal interviews conducted on October 4, 2007 and November 15, 2007. During the interview conducted on October 4, 2007, the Applicant suggested clarifying the supplemental information transmitted beyond the public space to distinguish over U.S. Patent No. 6,169,498 to King et al. ("*King*") and U.S. Patent No. 6,123,259 to Ogasawara ("*Ogasawara*"). During the interview conducted on November 15, 2007, the Applicant proposed amending the claim 29 to clarify that the fourth signal is sent in response to an electronic request from the visitor after the visitor has left the public space. During the interview conducted on November 15, 2007, the Examiner agreed that the suggested changes appeared to be patentable over *King* and *Ogasawara*, but that a further search may be required.

Rejections Under 35 U.S.C. § 103

Claims 21-25 and 27-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,169,498 to King et al. ("*King*") in view of U.S. Patent No. 6,123,259 to Ogasawara ("*Ogasawara*"). *King* is directed to a portable device used to receive location-specific messages based on the presence of the portable device within a facility. *Ogasawara* is directed to an electronic personal shopping system for improving the efficiency of a user's

shopping experience. More particularly, Ogasawara discloses a system capable of uploading shopping lists to the store environment, either while at the store or remotely. Col. 9, lines 45-65.

To establish a *prima facie* case of obviousness by combining references, the Examiner must show sufficient motivation or teaching to combine or modify the references, a reasonable expectation of success resulting from the combination or modification, and that the references as combined teach all of the claim limitations. *See* MPEP § 2143. In this instance, the Examiner has failed to establish a *prima facie* case of obviousness for at least the reason that the cited references do not disclose all of the claim limitations, as discussed below.

Claim 29 and its dependent claims are patentable over King and Ogasawara

Unlike independent claim 29, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method of providing information to a visitor to a public space after the visitor has left the public space including “sending from [the] portable electronic device a third signal corresponding to the keystroke and a unique address associated with the visitor; and sending electronically a fourth signal associated with a second piece of information about the public space element . . . based on the sending the third signal, the fourth signal sent to the visitor after the visitor has left the public space via a communications network extending beyond the public space in response to an electronic request from the visitor after the visitor has left the public space.”

Rather, although *Ogasawara* discloses a capability of uploading shopping lists to the store environment from a remote location, *Ogasawara* fails to disclose or suggest a method including sending information in the opposite direction (i.e., downloading information). Moreover, *Ogasawara* fails to disclose or suggest the transmission of information, either by

uploading or downloading, based on the third signal, which corresponds to the keystroke and a unique address associated with the visitor.

Accordingly, the Applicant respectfully requests that, for at least this reason, the rejection of independent claim 29 be withdrawn. The Applicant further requests that the rejection of claims 30-32 be withdrawn for at least the reason that they depend from independent claim 29. Similarly, the Applicant submits that new claims 42-45 are patentable over *King*, *Ogasawara* and any proper combination thereof for at least the reason that they depend from independent claim 29.

In addition, the Applicant respectfully submits that the claims that depend from independent claim 29 are separately allowable. For example, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method including transmitting a first signal within the public space; receiving a second signal associated with the first piece of information about the public space element, the second signal including audio content; and receiving a fifth signal associated with the first piece of information about the public space, the fifth signal including video content, wherein “the first signal includes a synchronization code configured to synchronize the receiving the second signal and the receiving the fifth signal,” as recited in dependent claim 31.

Unlike dependent claim 43, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method as recited in claim 29 wherein the sending includes “sending each keystroke from the plurality of keystrokes input by the visitor.”

Unlike dependent claim 44, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method including “tuning a receiver within the portable electronic device in response to the first signal.”

Claim 35 and its dependent claims are patentable over King and Ogasawara

Unlike independent claim 35, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method of providing information about a museum artifact to a visitor after the visitor has left the museum including: (1) transmitting a first piece of information to the visitor in the museum, “the first piece of information including an audio portion transmitted by a first electronic device and a video portion transmitted by a second electronic device,” and (2) sending “at least one of the audio portion of the first piece of information or the video portion of the first piece of information to the visitor after the visitor has left the museum based on [a] second electronic request associated with [a] visitor identification.” More particularly, *Ogasawara* fails to disclose or suggest a method wherein a visitor can receive audio-visual information when the visitor is within a museum and can receive at least a portion of the same audio-visual information when the visitor has left the museum based on “a second electronic request . . . from the visitor in the museum.” Rather, at best, *Ogasawara* concerns itself with a collection of information about events within the store and the flow of textual information (i.e., a shopping list) into the store based on the collected information.

Accordingly, the Applicant respectfully requests that, for at least this reason, the rejection of independent claim 35 be withdrawn. The Applicant further requests that the rejection of claims 37-39 be withdrawn for at least the reason that they depend from independent claim 35. Similarly, the Applicant submits that new claims 46 and 47 are patentable over *King*, *Ogasawara* and any proper combination thereof for at least the reason that they depend from independent

claim 35. In addition, for the reasons discussed above, the Applicant respectfully submits that the claims that depend from independent claim 35 are separately allowable.

New claim 48 and its dependent claims are patentable over King and Ogasawara

Unlike independent claim 48, neither *King* nor *Ogasawara* alone or in proper combination disclose or suggest a method of providing information about a museum artifact to a visitor after the visitor has left the museum including: (1) transmitting an audio signal associated with a first piece of information about an artifact “from a portable electronic device within the museum in response to [a] first electronic signal and [a] keystroke from the plurality of keystrokes;” (2) receiving a video signal associated with the first piece of information about the artifact “from an electronic transmitter within the museum in response to the first signal and the keystroke from the plurality of keystrokes;” and (3) transmitting at least one of the audio signal or the visual signal to the visitor after the visitor has left the museum based on the second electronic signal and in response to an electronic inquiry, via a communications network extending beyond the museum.” More particularly, as discussed above, *Ogasawara* fails to disclose or suggest a method wherein a visitor can receive audio-visual information when the visitor is within a museum and can receive at least a portion of the same audio-visual information when the visitor has left the museum based on a second electronic signal corresponding to the keystroke and a unique address associated with the visitor that is transmitted “from the portable electronic device within the museum.”

Accordingly, the Applicant respectfully submits that, for at least this reason, independent claim 48 is patentable over *King*, *Ogasawara* and any proper combination thereof. The Applicant further submits that claims 49 and 50 are patentable for at least the reason that they depend from independent claim 48.

The rejection of claims 21-25, 26-28, 33-34, 36 and 40-41 is moot

The rejection of claims 21-25, 26-28, 33-34, 36 and 40-41 is moot in view of the cancellation of these claims.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed or rendered moot. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding objections and rejections. The Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.


Prompt and favorable consideration of this Reply and Amendment is respectfully requested.

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